



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/507,210

09/15/2004

Makoto Kawamura

257909US6PCT

5092

22850

7590

08/21/2008

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

KAMAL, SHAHID

ART UNIT

PAPER NUMBER

3621

NOTIFICATION DATE

DELIVERY MODE

08/21/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

Office Action Summary	Application No. 10/507,210	Applicant(s) KAWAMURA, MAKOTO	
	Examiner SHAHID KAMAL	Art Unit 3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-12, 14-19 and 21-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-12, 14-19 and 21-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Acknowledgements

1. Claims 1-6, 8-12, 14-19 and 21-25 are currently pending and have been examined.
2. This Office Action is responsive to the amendment filed on May 02, 2008.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6, 8-12, 14-19 and 21-25 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ganesan (US Pub. No.: 2002/0019814 A1) (“Ganesan”) in view of Ginter et al. (US Patent No.: 5,910,987) (“Ginter”).

Referring to claim 1, Ganesan discloses the following:

- a) a license server providing a license for utilizing content (see at least figures 7, 14, paragraphs 0014-0015, 0231);
- b) a terminal requesting the license from the license server, obtaining the license, and utilizing the content based on the license (see at least abstract, paragraphs 0009-0010, 0016, 0044, 0090),

Art Unit: 3621

Ganesan does not expressly disclose duplicate-license determination means for determining whether or not the license requested by the terminal from the license server duplicates a license already held by the terminal; license-duplication reporting means for reporting license duplication indicating that the license requested by the terminal from the license server duplicates a license already held by the terminal according to the determination result by the duplicate-license determination means.

Ginter discloses duplicate-license determination means for determining whether or not the license requested by the terminal from the license server duplicates a license already held by the terminal (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-whether to acquire a license or further license means can be copy or new or duplicate); license-duplication reporting means for reporting license duplication indicating that the license requested by the terminal from the license server duplicates a license already held by the terminal according to the determination result by the duplicate-license determination means (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-whether to acquire a license or further license means can be copy or new or duplicate).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Ganesan for a method and system for specifying rights in a digital rights license according to events with the features of Ginter for a system and method for secure transaction management and electronic rights protection in order to provide a trusted environment for generating decryption key keys, encrypting and decrypting information, managing the secure communication of keys and other information between electronic appliances.

Referring to claim 2, Ganesan does not expressly discloses duplicate-license determination means for determining whether or not a license requested from the license server duplicates an already available license; license-duplication reporting means for reporting license duplication indicating that the license requested from the license server duplicates an already available license according to the determination result by the duplicate-license determination means.

Ginter discloses duplicate-license determination means for determining whether or not a license requested from the license server duplicates an already available license (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-whether to acquire a license or further license means can be copy or new or duplicate); license-duplication reporting means for reporting license duplication indicating that the license requested from the license server duplicates an already available license according to the determination result by the duplicate-license

Art Unit: 3621

determination means (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-weather to acquire a license or further license means can be copy or new or duplicate).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Ganesan for a method and system for specifying rights in a digital rights license according to events with the features of Ginter for a system and method for secure transaction management and electronic rights protection in order to provide a trusted environment for generating decryption key keys, encrypting and decrypting information, managing the secure communication of keys and other information between electronic appliances.

Referring to claim 3, Ganesan does not expressly discloses purchase-requesting means for requesting a purchase of the license from the license server according to an operation of a user, wherein the duplicate-license determination means determines whether or not the license to be purchased duplicates an already available license after or before the purchase-requesting means requests a purchase of the license from the license server.

Ginter discloses purchase-requesting means for requesting a purchase of the license from the license server according to an operation of a user, wherein the duplicate-license determination means determines whether or not the license to be purchased duplicates an already available license after or before the purchase-requesting means requests a purchase of the license from the license server (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55,

Art Unit: 3621

lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-weather to acquire a license or further license means can be copy or new or duplicate).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Ganesan for a method and system for specifying rights in a digital rights license according to events with the features of Ginter for a system and method for secure transaction management and electronic rights protection in order to provide a trusted environment for generating decryption key keys, encrypting and decrypting information, managing the secure communication of keys and other information between electronic appliances.

Referring to claim 4, Ganesan does not expressly discloses confirming means for confirming whether or not a license which duplicates an already available license is purchased when license duplication is reported by the license-duplication reporting means.

Ginter discloses confirming means for confirming whether or not a license which duplicates an already available license is purchased when license duplication is reported by the license-duplication reporting means (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-weather to acquire a license or further license means can be copy or new or duplicate).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Ganesan for a method and system for specifying rights in a digital rights license according to events with the features of Ginter for a system and method for secure transaction management and electronic rights protection in order to provide a trusted environment for generating decryption key keys, encrypting and decrypting information, managing the secure communication of keys and other information between electronic appliances.

Referring to claim 5, Ganesan further discloses license-identification-information acquiring means for acquiring license identification information of a license required to utilize content from the license server (see at least abstract, paragraphs 0009-0010, 0016, 0044, 0090).

Ganesan does not expressly discloses license-list storage means for storing a license list of licenses already purchased, wherein the duplicate-license determination means determines whether or not a license requested from the license server duplicates an already available license by comparing the license identification information acquired by the license-identification-information acquiring means with the license list stored by the license-list storage means.

Ginter discloses license-list storage means for storing a license list of licenses already purchased, wherein the duplicate-license determination means determines whether or not a license requested from the license server duplicates an already available license by comparing the license identification information acquired by the license-identification-information acquiring means with the license list stored by the license-list storage means (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34,

Art Unit: 3621

column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-weather to acquire a license or further license means can be copy or new or duplicate).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Ganesan for a method and system for specifying rights in a digital rights license according to events with the features of Ginter for a system and method for secure transaction management and electronic rights protection in order to provide a trusted environment for generating decryption key keys, encrypting and decrypting information, managing the secure communication of keys and other information between electronic appliances.

Referring to claim 6, Ganesan discloses the following:

- a) requesting a license from a license server providing the license for utilizing content (see abstract, column 24, lines 1-24, column 32, lines 31-58, column 128, lines 52-67);
- b) obtaining the license (see abstract, column 24, lines 1-24, column 32, lines 31-58, column 128, lines 52-67);
- c) utilizing the content based on the license (see abstract, column 24, lines 1-24, column 32, lines 31-58, column 128, lines 52-67).

Ganesan does not expressly discloses of determining whether or not a license requested from the license server duplicates an already available license; reporting license duplication indicating

Art Unit: 3621

that the license requested from the license server duplicates an already available license according to the determination result in **determining** step.

Ginter discloses of determining whether or not a license requested from the license server duplicates an already available license (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-weather to acquire a license or further license means can be copy or new or duplicate); reporting license duplication indicating that the license requested from the license server duplicates an already available license according to the determination result in **determining** step (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-weather to acquire a license or further license means can be copy or new or duplicate).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Ganesan for a method and system for specifying rights in a digital rights license according to events with the features of Ginter for a system and method for secure transaction management and electronic rights protection in order to provide a trusted environment for generating decryption key keys, encrypting and decrypting information, managing the secure communication of keys and other information between electronic appliances.

Referring to claim 8, Ganesan discloses the following:

- a) requesting a license from a license server providing the license for utilizing content (see abstract, column 24, lines 1-24, column 32, lines 31-58, column 128, lines 52-67);
- b) obtaining the license (see abstract, column 24, lines 1-24, column 32, lines 31-58, column 128, lines 52-67);
- c) utilizing the content based on the license (see abstract, column 24, lines 1-24, column 32, lines 31-58, column 128, lines 52-67).

Ganesan does not expressly disclose of determining whether or not a license requested from the license server duplicates an already available license; reporting license duplication indicating that the license requested from the license server duplicates an already available license according to the determination result in **determining** step.

Ginter discloses of determining whether or not a license requested from the license server duplicates an already available license (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-
whether to acquire a license or further license means can be copy or new or duplicate); reporting license duplication indicating that the license requested from the license server duplicates an already available license according to the determination result in **determining** step (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column

Art Unit: 3621

159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-weather to acquire a license or further license means can be copy or new or duplicate).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Ganesan for a method and system for specifying rights in a digital rights license according to events with the features of Ginter for a system and method for secure transaction management and electronic rights protection in order to provide a trusted environment for generating decryption key keys, encrypting and decrypting information, managing the secure communication of keys and other information between electronic appliances.

Referring to claim 9, Ganesan discloses determination-result receiving means for receiving from the license server a result of determination as to whether or not a license requested from the license server duplicates an already available license (see at least paragraphs 0017, 0072, 0124).

Ganesan does not expressly discloses license-duplication reporting means for reporting license duplication indicating that the license requested from the license server duplicates an already available license according to the result of determination as to license duplication received by the determination-result receiving means.

Ginter discloses license-duplication reporting means for reporting license duplication indicating that the license requested from the license server duplicates an already available license according to the result of determination as to license duplication received by the determination-result receiving means (see at least abstract & column 34, lines 1-36, column 37,

Art Unit: 3621

lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-weather to acquire a license or further license means can be copy or new or duplicate).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Ganesan for a method and system for specifying rights in a digital rights license according to events with the features of Ginter for a system and method for secure transaction management and electronic rights protection in order to provide a trusted environment for generating decryption key keys, encrypting and decrypting information, managing the secure communication of keys and other information between electronic appliances.

Referring to claim 10, Ganesan does not expressly discloses confirming means for confirming whether or not a license which duplicates an already available license is purchased when license duplication is reported by the license-duplication reporting means.

Ginter discloses confirming means for confirming whether or not a license which duplicates an already available license is purchased when license duplication is reported by the license-duplication reporting means (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-weather to acquire a license or further license means can be copy or new or duplicate).

Art Unit: 3621

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Ganesan for a method and system for specifying rights in a digital rights license according to events with the features of Ginter for a system and method for secure transaction management and electronic rights protection in order to provide a trusted environment for generating decryption key keys, encrypting and decrypting information, managing the secure communication of keys and other information between electronic appliances.

Referring to claim 11, Ganesan discloses content-identification-information sending means for sending to the license server content identification information for identifying the content to be utilized, wherein the determination-result receiving means receives from the license server a result of determination as to whether or not the license required to utilize the content identified with the content identification information sent by the content-identification-information sending means duplicates an already available license (see at least abstract, paragraphs 0017, 0072, 0124).

Referring to claim 12, Ganesan does not expressly discloses a determination-result receiving step of receiving from the license server a result of determination as to whether or not the license requested from the license server duplicates an already available license; a license-duplication reporting means for reporting license duplication indicating that the license requested from the license server duplicates an already available license according to the result of determination as to license duplication received by the determination-result receiving means.

Art Unit: 3621

Ginter discloses a determination-result receiving step of receiving from the license server a result of determination as to whether or not the license requested from the license server duplicates an already available license (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-weather to acquire a license or further license means can be copy or new or duplicate); a license-duplication reporting step of reporting license duplication indicating that the license requested from the license server duplicates an already available license according to the result of determination as to license duplication received in the determination-result receiving step (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-weather to acquire a license or further license means can be copy or new or duplicate).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Ganesan for a method and system for specifying rights in a digital rights license according to events with the features of Ginter for a system and method for secure transaction management and electronic rights protection in order to provide a trusted environment for generating decryption key keys, encrypting and decrypting information, managing the secure communication of keys and other information between electronic appliances.

Referring to claim 14, Ganesan discloses the following:

- d) requesting a license from a license server providing the license for utilizing content (see abstract, column 24, lines 1-24, column 32, lines 31-58, column 128, lines 52-67);
- e) obtaining the license (see abstract, column 24, lines 1-24, column 32, lines 31-58, column 128, lines 52-67);
- f) utilizing the content based on the license (see abstract, column 24, lines 1-24, column 32, lines 31-58, column 128, lines 52-67).

Ganesan does not expressly discloses of determining whether or not a license requested from the license server duplicates an already available license; reporting license duplication indicating that the license requested from the license server duplicates an already available license according to the determination result in **receiving** step.

Ginter discloses of determining whether or not a license requested from the license server duplicates an already available license (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-
whether to acquire a license or further license means can be copy or new or duplicate); reporting license duplication indicating that the license requested from the license server duplicates an already available license according to the determination result in **receiving** step (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column

Art Unit: 3621

159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-weather to acquire a license or further license means can be copy or new or duplicate).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Ganesan for a method and system for specifying rights in a digital rights license according to events with the features of Ginter for a system and method for secure transaction management and electronic rights protection in order to provide a trusted environment for generating decryption key keys, encrypting and decrypting information, managing the secure communication of keys and other information between electronic appliances.

Referring to claim 15, Ganesan does not expressly disclose duplicate-license determination means for determining whether or not the license requested by the terminal duplicates a license already held by the terminal; and determination-result sending means for sending a determination result by the duplicate-license determination means to the terminal; query means for making an inquiry about licenses already held by the terminal.

Ginter discloses duplicate-license determination means for determining whether or not the license requested by the terminal duplicates a license already held by the terminal (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-weather to acquire a license or further license

Art Unit: 3621

means can be copy or new or duplicate); and determination-result sending means for sending a determination result by the duplicate-license determination means to the terminal (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-weather to acquire a license or further license means can be copy or new or duplicate); query means for making an inquiry about licenses already held by the terminal (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-weather to acquire a license or further license means can be copy or new or duplicate).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Ganesan for a method and system for specifying rights in a digital rights license according to events with the features of Ginter for a system and method for secure transaction management and electronic rights protection in order to provide a trusted environment for generating decryption key keys, encrypting and decrypting information, managing the secure communication of keys and other information between electronic appliances.

Referring to claim 16, Ganesan discloses license-information storage means for storing information about the license provided to the terminal, wherein the query means asks the license-

Art Unit: 3621

information storage means for licenses already held by the terminal (see at least paragraphs 0017, 0072, 0124).

Referring to claim 17, Ganesan discloses wherein the query means asks a management server managing information about the license provided to the terminal for licenses already held by the terminal (see at least abstract, and paragraphs 0017, 0072, 0124).

Referring to claim 18, Ganesan does not expressly discloses when the duplicate-license determination means determines that the license requested by the terminal duplicates a license already held by the terminal and when a message confirming purchase of the license that duplicates the license already held by the terminal is sent from the terminal, the license requested by the terminal is provided to the terminal.

Ginter discloses when the duplicate-license determination means determines that the license requested by the terminal duplicates a license already held by the terminal and when a message confirming purchase of the license that duplicates the license already held by the terminal is sent from the terminal, the license requested by the terminal is provided to the terminal (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-weather to acquire a license or further license means can be copy or new or duplicate).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Ganesan for a method and system for specifying rights in a digital rights license according to events with the features of Ginter for a system and method for secure transaction management and electronic rights protection in order to provide a trusted environment for generating decryption key keys, encrypting and decrypting information, managing the secure communication of keys and other information between electronic appliances.

Referring to claim 19, Ganesan does not expressly disclose an inquiry about licenses already held by the terminal; determining whether or not the license requested by the terminal duplicates a license already held by the terminal; sending step of sending a determination result in the **determining** step to the terminal; a query step of making an inquiry about licenses already held by the terminal.

Ginter discloses an inquiry about licenses already held by the terminal (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-whether to acquire a license or further license means can be copy or new or duplicate); determining whether or not the license requested by the terminal duplicates a license already held by the terminal; sending step of sending a determination result in the **determining** step to the terminal (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines

Art Unit: 3621

37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-weather to acquire a license or further license means can be copy or new or duplicate); a query step of making an inquiry about licenses already held by the terminal (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-weather to acquire a license or further license means can be copy or new or duplicate).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Ganesan for a method and system for specifying rights in a digital rights license according to events with the features of Ginter for a system and method for secure transaction management and electronic rights protection in order to provide a trusted environment for generating decryption key keys, encrypting and decrypting information, managing the secure communication of keys and other information between electronic appliances.

Referring to claim 21, Ganesan does not expressly disclose an inquiry about licenses already held by the terminal; determining whether or not the license requested by the terminal duplicates a license already held by the terminal; sending step of sending a determination result in the **determining** step to the terminal; a query step of making an inquiry about licenses already held by the terminal.

Art Unit: 3621

Ginter discloses an inquiry about licenses already held by the terminal (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-whether to acquire a license or further license means can be copy or new or duplicate); determining whether or not the license requested by the terminal duplicates a license already held by the terminal; sending step of sending a determination result in the **determining** step to the terminal (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-whether to acquire a license or further license means can be copy or new or duplicate); a query step of making an inquiry about licenses already held by the terminal (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-whether to acquire a license or further license means can be copy or new or duplicate).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Ganesan for a method and system for specifying rights in a digital rights license according to events with the features of Ginter for a system and method for secure transaction management and electronic rights protection in order to provide a

Art Unit: 3621

trusted environment for generating decryption key keys, encrypting and decrypting information, managing the secure communication of keys and other information between electronic appliances.

Referring to claim 22, Ganesan discloses the following:

- a) a license server providing a license for utilizing content (see at least figures 7, 14, paragraphs 0014-0015, 0231);
- b) a terminal requesting the license from the license server, obtaining the license, and utilizing the content based on the license (see at least abstract, paragraphs 0009-0010, 0016, 0044, 0090),

Ganesan does not expressly discloses duplicate-license determination section for determining whether or not the license requested by the terminal from the license server duplicates a license already held by the terminal; license-duplication reporting section for reporting license duplication indicating that the license requested by the terminal from the license server duplicates a license already held by the terminal according to the determination result by the duplicate-license determination section.

Ginter discloses duplicate-license determination section for determining whether or not the license requested by the terminal from the license server duplicates a license already held by the terminal (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-whether to acquire a license or

Art Unit: 3621

further license means can be copy or new or duplicate); license-duplication reporting section for reporting license duplication indicating that the license requested by the terminal from the license server duplicates a license already held by the terminal according to the determination result by the duplicate-license determination section (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-weather to acquire a license or further license means can be copy or new or duplicate).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Ganesan for a method and system for specifying rights in a digital rights license according to events with the features of Ginter for a system and method for secure transaction management and electronic rights protection in order to provide a trusted environment for generating decryption key keys, encrypting and decrypting information, managing the secure communication of keys and other information between electronic appliances.

Referring to claim 23, Ganesan does not expressly discloses duplicate-license determination section for determining whether or not the license requested by the terminal from the license server duplicates a license already held by the terminal; license-duplication reporting section for reporting license duplication indicating that the license requested by the terminal from the

Art Unit: 3621

license server duplicates a license already held by the terminal according to the determination result by the duplicate-license determination section.

Ginter discloses duplicate-license determination section for determining whether or not the license requested by the terminal from the license server duplicates a license already held by the terminal (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-whether to acquire a license or further license means can be copy or new or duplicate); license-duplication reporting section for reporting license duplication indicating that the license requested by the terminal from the license server duplicates a license already held by the terminal according to the determination result by the duplicate-license determination section (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-whether to acquire a license or further license means can be copy or new or duplicate).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Ganesan for a method and system for specifying rights in a digital rights license according to events with the features of Ginter for a system and method for secure transaction management and electronic rights protection in order to provide a trusted environment for generating decryption key keys, encrypting and decrypting information,

Art Unit: 3621

managing the secure communication of keys and other information between electronic appliances.

Referring to claim 23, Ganesan does not expressly disclose duplicate-license determination section for determining whether or not the license requested by the terminal from the license server duplicates a license already held by the terminal; license-duplication reporting section for reporting license duplication indicating that the license requested by the terminal from the license server duplicates a license already held by the terminal according to the determination result by the duplicate-license determination section.

Ginter discloses duplicate-license determination section for determining whether or not the license requested by the terminal from the license server duplicates a license already held by the terminal (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-whether to acquire a license or further license means can be copy or new or duplicate); license-duplication reporting section for reporting license duplication indicating that the license requested by the terminal from the license server duplicates a license already held by the terminal according to the determination result by the duplicate-license determination section (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column

Art Unit: 3621

279, lines 6-21-weather to acquire a license or further license means can be copy or new or duplicate).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Ganesan for a method and system for specifying rights in a digital rights license according to events with the features of Ginter for a system and method for secure transaction management and electronic rights protection in order to provide a trusted environment for generating decryption key keys, encrypting and decrypting information, managing the secure communication of keys and other information between electronic appliances.

Referring to claim 25, Ganesan does not expressly disclose a query section configured to make an inquiry about licenses already held by the terminal; a duplicate-license determination section configured to determine whether the license requested by the terminal duplicates a license already held by the terminal; and a determination-result sending section configured to send a determination result by the duplicate-license determination section to the terminal.

Ginter discloses a query section configured to make an inquiry about licenses already held by the terminal (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-weather to acquire a license or further license means can be copy or new or duplicate); a duplicate-license determination section configured to determine whether the license requested by the terminal

Art Unit: 3621

duplicates a license already held by the terminal (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-weather to acquire a license or further license means can be copy or new or duplicate); and a determination-result sending section configured to send a determination result by the duplicate-license determination section to the terminal (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-weather to acquire a license or further license means can be copy or new or duplicate).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Ganesan for a method and system for specifying rights in a digital rights license according to events with the features of Ginter for a system and method for secure transaction management and electronic rights protection in order to provide a trusted environment for generating decryption key keys, encrypting and decrypting information, managing the secure communication of keys and other information between electronic appliances.

Examiner's Note:

5. The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

6. Although Applicant(s) use “means for” in the claim(s) (e.g. claims 1-5, 9-11, 15-17), it is the Examiner’s position that the “means for” phrase(s) do not invoke 35 U.S.C. 112 6th paragraph. If Applicant(s) concur, the Examiner respectfully requests Applicant(s) to either amend the claim(s) to remove all instances of “means for” from the claim(s), or to explicitly state on the record why 35 U.S.C. 112 6th paragraph should not be invoked.

Alternatively, if Applicant(s) desire to invoke 35 U.S.C. 112 6th paragraph, the Examiner respectfully requests Applicant(s) to expressly state their desire on the record. Upon receiving such express invocation of 35 U.S.C. 112 6th paragraph, the “means for” phrase(s) will be interpreted as set forth in the *Supplemental Examination Guidelines for Determining the Applicability of 35 USC 112 6¶*.¹

Failure by Applicant(s) in their next response to also address the 35 U.S.C. 112 6th paragraph issues in accordance with 37 C.F.R. §1.111(b) or to be non-responsive to this issue entirely will be considered a desire by Applicant(s) NOT to invoke 35 U.S.C. 112 6th paragraph.

Art Unit: 3621

Unless expressly noted otherwise by the Examiner, the preceding discussion on 35 U.S.C. 112 6th paragraph applies to all examined claims currently pending.

Response to Arguments

7. Applicant's arguments filed on May 02, 2008 have been fully considered but they are not persuasive.

As per claims 1, 2, 6, 8, 9, 12, 14, 15, 19, Applicant argues “Ganesan and Ginter do not disclose a license server providing a license for utilizing content; a terminal requesting the license from the license server, obtaining the license, and utilizing the content based on the license; and duplicate-license determination means for determining whether or not the license requested by the terminal from the license server duplicates a license already held by the terminal; license-duplication reporting means for reporting license duplication indicating that the license requested by the terminal from the license server duplicates a license already held by the terminal according to the determination result by the duplicate-license determination means” (response pages 13-15).

Ganesan teaches a license server providing a license for utilizing content (see at least figures 7, 14, paragraphs 0014-0015, 0231); and a terminal requesting the license from the license server, obtaining the license, and utilizing the content based on the license (see at least abstract, paragraphs 0009-0010, 0016, 0044, 0090). Where as Ginter teaches duplicate-license determination means for determining whether or not the license requested by the terminal from the license server duplicates a license already held by the terminal (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column

Art Unit: 3621

87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-weather to acquire a license or further license means can be copy or new or duplicate); license-duplication reporting means for reporting license duplication indicating that the license requested by the terminal from the license server duplicates a license already held by the terminal according to the determination result by the duplicate-license determination means (see at least abstract & column 34, lines 1-36, column 37, lines 3-34, column 55, lines 48-67, column 59, lines 17-34, column 87, lines 20-55, column 120, lines 37-67, column 128, lines 52-67, column 159, lines 16-35, column 171, lines 13-44, column 266, lines 2-17, column 275, lines 43-67, column 277, lines 1-49, column 279, lines 6-21-weather to acquire a license or further license means can be copy or new or duplicate).

Conclusion

8. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 3621

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shahid Kamal whose telephone number is (571) 270-3272. The examiner can normally be reached on MONDAY through THURSDAY between the hours of 8:30 AM and 7 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew J. Fischer can be reached on (571) 272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300 for Regular/After Final Actions and 571-273-6714 for Non-Official/Draft.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Shahid Kamal
August 18, 2008

/ANDREW J. FISCHER/
Supervisory Patent Examiner, Art Unit 3621